

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GRETCHEN S. STUART, M.D., et al.,

Plaintiffs,

v.

JANICE E. HUFF, M.D., et al.,

Defendants.

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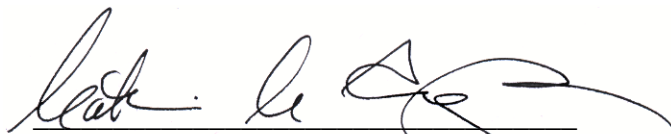
ORDER

This matter is before the Court on a purported Motion to Dismiss filed by the Defendants as part of their Answer. (Doc. 50). The pleading is captioned “Motion to Dismiss and Answer of the Defendants to the Plaintiffs’ Complaint,” and the first two paragraphs to the Answer assert motions to dismiss based on Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.

The motion was not set out in a separate pleading and the defendants did not file a brief in support of the motion as required by Rule 7.3(a) of the Rules of Practice and Procedure of the United States District Court for the Middle District of North Carolina. Some action is required of the defendants or the motion will be summarily denied. See Local Rule 7.3(k).

The Defendants are allowed until November 30 to resolve this problem, either by filing a separate motion and brief in support no later than November 30, by filing an Amended Answer withdrawing the Motion to Dismiss and asserting lack of standing as a defense, or by taking other appropriate action in compliance with the Local Rules.

SO ORDERED, this 23rd day of November, 2011.


UNITED STATES DISTRICT JUDGE